STERNS & WEINROTH

**A Professional Corporation** 

50 West State Street Suite 1400

P. O. Box 1298

Trenton, New Jersey 08607-1298

(609) 392-2100

Attorneys For Doosan Infracore America Corp.

Jeffrey S. Posta, Esq. (JP-1300)

In re:

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Hon. Robert D. Drain, U.S.B.J.

DELPHI CORPORATION, et al.,

Debtors.

Chapter 11

Case No. 05-44481 (RDD)

(Jointly Administered)

RESPONSE OF DOOSAN INFRACORE AMERICA CORP. TO DEBTORS' NINTH OMNIBUS CLAIMS OBJECTION

The undersigned Claimant, Doosan Infracore America Corp. ("Doosan"), hereby submits its Response to the Ninth Omnibus Claims Objection of the Debtors to the Amended Proof of Claim in the amount of \$100,592.69 filed by Doosan on December 4, 2006, Claim No. 16443 (the "December 4 Amended Claim"). A true copy of the December 4 Amended Claim is annexed as Exhibit A. The basis for the Debtors' Objection is that the December 4 Amended Claim was untimely.

Doosan timely filed a Proof of Claim in the amount of \$93,602.69 on July 28, 2006 (the "July 28 Claim"). A true copy of the July 28 Claim is annexed as Exhibit B. The December 4 Amended Claim relates back to and corrects the July 28 Claim.

05-44481-rdd Doc 7000 Filed 02/21/07 Entered 02/21/07 12:59:53 Main Document Pg 2 of 2

Therefore, since Doosan filed the July 28 Claim before the Bar Date, and the December 4

Amended Claim amends it, the December 4 Amended Claim is a timely filed claim. Further,

there is no prejudice to the Debtors or any party in interest by the filing of the December 4

Amended Claim. Indeed, the December 4 Amended Claim is still less than the amount of the

Doosan claim scheduled by the Debtors.

For all of the above reasons, the Court should deny the Objection of the Debtors to the

December 4 Amended Claim.

STERNS & WEINROTH,

**A Professional Corporation** 

Attorneys for Doosan Infracore

America Corp.

By: /s/ Jeffrey S. Posta

Jeffrey S. Posta

Dated: February 21, 2007